

LEGISLATIVE DIGEST
(Substituted 3/19/19)

[Police Code - Acceptance of Cash by Brick-and-Mortar Businesses]

Ordinance amending the Police Code to require, in general, that brick-and-mortar businesses accept payment in cash in connection with the purchase of goods and services other than professional services.

Existing Law

Nothing in existing state or local law requires businesses to accept payment in cash.

Amendments to Current Law

This ordinance would generally require “brick-and-mortar” businesses in the City to accept payment in cash for goods and services other than professional services, for transactions for which the business would accept any other form of payment.

“Brick-and-mortar” businesses are defined as operating at fixed, permanent physical premises. Businesses not fitting this definition (e.g., online-only businesses, businesses operating from mobile spaces like vehicles, or temporary businesses like pop-ups) would not be covered by the ordinance. In addition, only transactions where the customer is physically present at the place of business are covered; hence, a transaction where goods are delivered to a customer and paid for on delivery is not covered by the ordinance.

The ordinance would not require businesses to accept currency other than valid U.S. currency—i.e., paper Federal Reserve Notes and metal coins that are legal tender in the United States. In addition, the ordinance would allow a business to reject cash that it reasonably suspects to be counterfeit. And the ordinance would also allow a business to refuse to accept cash in any denomination larger than a twenty-dollar bill, but would require acceptance of any combination of paper currency and coins in smaller denominations.

The ordinance would be enforced by the County Sealer of Weights and Measures. Violation of the ordinance would be either an infraction or (for three or more offenses within twelve months) a misdemeanor, punishable by escalating fines. Only businesses or business owners could be held liable for violations of the ordinance; no liability would fall on employees.